

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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MARIA PETER, MICHAEL PETER, JULIKA  
BERGER, and JAROLIN BERGER,

Case No.: 2:21-cv-02026-APG-EJY

Plaintiffs,

**ORDER**

v.

SUSAN DIANE WOJCICKI, WILLIAM  
HENRY CATES, STEPHANE BANCEL, and  
ALBER BOURLA,

Defendants.

On November 8, 2021, Plaintiff Maria Peter, proceeding *pro se*, filed a proposed complaint which lists three additional plaintiffs. ECF No. 1-1. However, Peter neither paid the \$402 filing fee nor filed an application to proceed *in forma pauperis*, which she must do pursuant to 28 U.S.C. § 1915(a)(1) and the U.S. District Court for the District of Nevada Local Rule LSR 1-1 if she wishes to proceed without paying the mandatory filing fee. LSR 1-1 states: “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*. The application must be made on the form provided by the court and must include a financial affidavit disclosing the applicant’s income, assets, expenses, and liabilities.”

Further, Plaintiff is advised that a person acting *pro se* may not represent other people. Under 28 U.S.C. § 1654, *pro se* litigants have the right to plead and conduct their own cases but have no authority to represent anyone other than themselves. *Cato v United States*, 70 F.3d 1103, 1105 n.1 (9th Cir. 1995); *C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987). As such, if any plaintiff named in the Complaint (ECF No. 1-1) other than Maria Peter wishes to pursue an action in this Court, such plaintiff must file his/her own complaint in a new and separate case and submit either a complete application to proceed *in forma pauperis* or pay the \$402 filing fee.

The Court shall retain Plaintiff’s Complaint (ECF No. 1-1) but will not file the Complaint unless and until Maria Peter timely pays the \$402 filing fee or files a complete application to proceed *in forma pauperis* for a non-prisoner.

1 Accordingly, IT IS HEREBY ORDERED that the Clerk of Court shall send Plaintiff the  
2 approved form application to proceed *in forma pauperis* by a non-prisoner as well as the document  
3 entitled information and instructions for filing an *in forma pauperis* application.

4 IT IS FURTHER ORDERED that on or before **December 15, 2021**, Plaintiff shall either: (1)  
5 file a complete application to proceed *in forma pauperis* by a non-prisoner, in compliance with 28  
6 U.S.C. § 1915(a) and LSR 1-1; or (2) pay the \$402 fee for filing a civil action, which includes the  
7 \$350 filing fee and the \$52 administrative fee.

8 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this Order, the  
9 Court will recommend dismissal of this action without prejudice.

10 IT IS FURTHER ORDERED that the Clerk of Court will retain Plaintiff's Complaint (ECF  
11 No. 1-1), but will not file it at this time.

12 IT IS FURTHER ORDERED that if any plaintiff other than Maria Peter who is named in  
13 Ms. Peter's Complaint (ECF No. 1-1) wishes to pursue an action in this Court, such plaintiff must  
14 file his/her own complaint in a new and separate case and submit either a complete application to  
15 proceed *in forma pauperis* or pay the full \$402 filing fee.

16 Dated this 15th day of November, 2021.

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19 ELAYNA J. YOUCHAH  
20 UNITED STATES MAGISTRATE JUDGE  
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